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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

CHIEN et al.

Confirmation No.: 8753

Serial No.: 10/820,922

Art Unit: 1648

Filing Date: April 7, 2004

Examiner: M. Mosher

Title: HEPATITIS C VIRAL ANTIGEN IMMUNOASSAY DETECTION SYSTEMS

TERMINAL DISCLAIMER

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Chiron Corporation, hereinafter "Assignee", a Delaware corporation, having an address at 4560 Horton Street, Emeryville, California 94662-8097, is the owner of the entire right, title and interest in and to application U.S. Serial No. 10/820,922, filed April 7, 2004, by virtue of an assignment recorded November 10, 2004 at Reel 015369, Frame 0726 and is also the owner of the entire right, title and interest in and to U.S. Patent No. 6,815,160, filed January 25, 2002 and issued November 9, 2004, by virtue of an assignment recorded January 25, 2002 at Reel 012811, Frame 0814.

In accordance with 37 C.F.R. ' 3.73(b), Assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of Assignee's knowledge and belief, title is in the assignee seeking to take this action.

The assignee hereby disclaims the terminal part of any patent granted on the above-captioned application Serial No. 10/820,922 which would extend beyond the expiration date of U.S. Patent No. 6,815,160, except as provided below, and agrees that any patent granted on the above-captioned application 10/820,922 will be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,815,160, this

agreement to run with any patent granted on the above-captioned application Serial No. 10/820,922 and to be binding upon the grantee, its successors or assigns.

In making this disclaimer, the assignee does not disclaim any terminal part of any patent granted on the above-identified application Serial No. 10/820,922 that would extend to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,815,160 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. ' 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. ' ' 1.16, 1.17 and 1.21 which may be required by this paper, or to credit any overpayment to Deposit Account No. 18-1648.

Executed at Emeryville, California

By: 
Marcella Lillis

Title: Assistant Secretary

Date: 